

Corrective Action on the Upper Snake Rock TMDL Modification (HUC  
17040212)  
For Total Suspended Solids (TSS) Wasteload Allocations

Public Comment: December 14, 2007 – January 14, 2008

## HISTORICAL

The Idaho Department of Environmental Quality (DEQ) received approval from the U. S. Environmental Protection Agency (EPA) on September 14, 2005 for *The Upper Snake Rock TMDL Modification*. The Upper Snake Rock TMDL Modification includes waste load allocations (WLAs) for total phosphorus (TP) and total suspended solids (TSS) for 81 aquaculture facilities on the Snake River and tributaries, 4 fish processors, and 12 aquaculture facilities on Billingsley Creek. The Upper Snake Rock TMDL Modification also includes new WLAs for TSS for six municipalities. EPA approved the WLAs for the aquaculture facilities. These wasteload allocations were used by Region 10 EPA to develop individual NPDES permit limits for each of the affected facilities. Because of DEQ's failure to provide appropriate notice of the WLAs for the municipalities, as explained below, EPA did not take action with respect to the WLAs for TSS for municipalities.

## UNINTENTIONAL OMISSION

Although DEQ's work with the applicable Watershed Advisory Group included the TSS WLAs for municipalities, DEQ's public notice for the Upper Snake Rock TMDL Modification did not include notice of the new TSS WLAs for the municipalities. The six municipalities are the cities of Twin Falls, Jerome, Filer, Buhl, Hansen and Hagerman. Therefore, DEQ is now offering the public the opportunity to comment on the WLAs.

## CORRECTIVE ACTION AND TSS WASTELOAD ALLOCATIONS

Through this public notice and subsequent approval by EPA, DEQ intends to correct this oversight so that the TSS wasteload allocations for the six municipalities identified above and in *The Upper Snake Rock TMDL Modification* can be incorporated into NPDES permits. DEQ is making no changes to the Upper Snake Rock TMDL Modification, and is providing notice only with respect to the WLAs for TSS for municipalities. No other corrective actions with respect to the TMDL modification are necessary or required at this time. As described in *The Upper Snake Rock TMDL Modification*, the TSS wasteload allocations for the six municipalities are summarized in Table 1.

Table 1. TSS Wasteload Allocations for Upper Snake Rock Subbasin Municipalities

MUNICIPALITY	RECEIVING WATERBODY	TSS, ton/year	TSS, lb/day
City of Hansen	Snake River via Canalway	1.3	7.1
City of Twin Falls	Snake River	146.4	802.2
City of Buhl	Mud Creek	70.0	383.6
City of Filer	Cedar Draw	58.0	317.8
City of Jerome	Snake River via Canalway	375.0	2,054.8
City of Hagerman	Snake River	18.60	101.9
City of Hansen: Table 1-A (Segment 1 TMDL). City of Twin Falls: Table 2-A (Segment 2 TMDL). City of Filer: Table 3-B (Cedar Draw TMDL). City of Buhl: Table 3-E (Mud Creek TMDL). City of Jerome: Table 3-A (Segment 3 TMDL). City of Hagerman: Table 5-A (Segment 5 TMDL). TSS, lb/day = (TSS, ton/year x 2,000 lb/ton)/365 days/year			

## **COMPLIANCE WITH IDAHO CODE §39-3611(8)**

The TSS wasteload allocations for the six municipalities as described in Table 1 underwent extensive public participation as well as participation by the Mid-Snake Watershed Advisory Group (WAG). The extent of this public participation process is described in Section 1.1 of *The Upper Snake Rock TMDL Modification* document. In summary, DEQ has complied with the WAG consultation requirements set forth in Idaho Code §39-3611.

DEQ has provided the WAG and the general public all available information concerning applicable water quality standards, water quality data, monitoring, assessments, reports, procedures and schedules. DEQ worked closely with the WAG, of which the six municipalities are members, in collecting the information for the proposed WLAs and in developing the database that reflects the relevant data. In addition, DEQ has worked closely with EPA in the NPDES permitting process for these six municipalities, which will be affected by the WLAs described in Table 1.

## **BENEFICIAL USE AND WATER QUALITY STANDARDS ATTAINMENT**

The TSS WLAs described in Table 1 are a component of additional WLAs (for aquaculture) and load allocations (for nonpoint sources) that will meet the beneficial uses and water quality standards for the receiving waterbody as described in *The Upper Snake Rock TMDL Modification* document. The note in Table 1 indicates where in the TMDL modification document the beneficial use and water quality standards attainment is described for each waterbody.

## **PUBLIC COMMENT PERIOD**

DEQ is conducting a 30-day public comment period relative to the TSS WLAs for the six municipalities in the Upper Snake Rock Subbasin. Comments may be submitted in writing through 5 p.m. MST, Monday, January 14, 2008, to Dr. Balthasar B. Buhidar, DEQ-TFRO, 1363 Fillmore Street, Twin Falls, Idaho 83301.

(END)